

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

09 MANUEL RAMIREZ,) CASE NO. C08-0492-RSM
10 Petitioner,)
11 v.) ORDER DISMISSING § 2254
12 WASHINGTON STATE) PETITION WITHOUT PREJUDICE
13 DEPARTMENT OF CORRECTIONS,)
14 Respondent.)
_____)

16 The Court, having reviewed the petition for writ of habeas corpus, the Report and
17 Recommendation of Mary Alice Theiler, United States Magistrate Judge, and the remaining
18 record, does hereby find and Order:

19 (1) The Court adopts the Report and Recommendation;

20 (2) Petitioner's petition for writ of habeas corpus, and this action, are DISMISSED

21 without prejudice;

22 (3) Petitioner's application to proceed *in forma pauperis* is DENIED as moot; and,

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01 (4) The Clerk is directed to send copies of this Order to petitioner and to Judge
02 Theiler.

03 DATED this 21st day of May, 2008.

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07 RICARDO S. MARTINEZ
08 UNITED STATES DISTRICT JUDGE
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